

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|-----------------------------|---|--------------------------|
| TRIDINETWORKS, LTD. |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 19-1062-CFC-CJB |
| |) | |
| NXP-USA, INC. and NXP B.V., |) | |
| |) | |
| Defendants. |) | |
| <hr/> |) | |
| TRIDINETWORKS, LTD., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 19-1063-CFC-CJB |
| |) | |
| SIGNIFY NORTH AMERICA |) | |
| CORPORATION and SIGNIFY |) | |
| NETHERLANDS B.V., |) | |
| |) | |
| Defendants. |) | |
| <hr/> |) | |
| TRIDINETWORKS LTD., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| STMICROELECTRONICS, INC., |) | C.A. No. 19-1064-CFC-CJB |
| and STMICROELECTRONICS |) | |
| INTERNATIONAL N.V., AND |) | |
| DOE-1 d/b/a |) | |
| “STMICROELECTRONICS,” |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS’ CONCISE STATEMENT OF FACTS IN
SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT**

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Dated: February 19, 2021

Defendants' submit the following concise statement of undisputed facts:

| | Facts | Evidence (Exhibit Letter¹ and Pin Cite) |
|---|--|---|
| 1 | The earliest claimed priority date on the face of U.S. Patent No. 8,437,276 ("276 Patent") is November 29, 2007. | A, cover, item (60). |
| 2 | The '276 Patent is directed to a "method for wireless and wired networks design, installation and automatic formation including binding of the networks devices by creating logical links between two or more devices." | A 1:26-30. |
| 3 | Independent claim 1 is directed to "[a] method of design, installation, and formation of a network" comprising steps of "creating a design of said network," "installing said devices according to said created design," and "forming said network and bindings according to said created design." | A 24:60 – 25:17. |
| 4 | A network design is created and stored electronically using a "design system controller with the design application 301 (such as a PC)" and "standard storage means (such as a database or CD)." | A 3:32-37, 13:11-20. |
| 5 | During the installation step of claim 1, the network design is "accessed" and configuration data is "downloaded" into a network device being configured. | A 25:1-5. |

¹ The Exhibit letters refer to the exhibits attached to the Declaration of Jeffrey L. Moyer in Support of Defendants' Concise Statement of Facts in Support of Their Motion for Summary Judgment, filed contemporaneously herewith.

| | Facts | Evidence (Exhibit Letter ¹ and Pin Cite) |
|----|--|--|
| 6 | Network connections are formed according to claim 1 “by initializing said devices and by reading said downloaded data.” | A 25:6-10. |
| 7 | The method of claim 1 employs a “commissioning tool” and “configuration adapters” to assist in the transfer of configuration data to a wired or wireless network device being configured. | A 25:1-12. |
| 8 | A “commissioning tool” is defined as “a (usually portable) unit used to deploy and configure devices.” | A 9:44-46. |
| 9 | An example of a commissioning tool is a PDA, or personal digital assistant. | A 13:1-6; E ¶ 35. |
| 10 | A “configuration adapter” is defined as “a component . . . which receives and stores configuration data.” | A 9:48-50. |
| 11 | Figure 7 of the ’276 Patent illustrates a configuration adapter as a block diagram having three functional blocks: device contact interface 701, control and memory module 700, and configuration interface 702. | A 7:55-56, Fig. 7. |
| 12 | According to the ’276 Patent, “device contact interface 701 may be a standard communication interface . . . or a standard control interface.” | A 14:67 – 15:2 (emphasis added). |
| 13 | “[C]onfiguration interface 702 implements identical configuration link communication protocols (such as ISO 14443).” | A 14:53-57 (emphasis added). |

| | Facts | Evidence (Exhibit Letter¹ and Pin Cite) |
|----|---|---|
| 14 | ISO 14443 is an industry standard for NFC. | E ¶¶ 47, 117. |
| 15 | Control and memory module 700 “may be used to store the loaded configuration data and to control the adapter.” | A 14:60-61. |
| 16 | Storing data and performing control are the conventional functions of a conventional computer component known as a microcontroller. | E ¶ 48. |
| 17 | Claim 1 concludes with two “wherein” clauses. | A 25:11-17. |
| 18 | The first wherein clause recites that “said commissioning tool comprises a configuration adapter for a complementary configuration link” with the configuration adapter of a network device being configured. | A 25:11-12. |
| 19 | According to the ’276 Patent, the configuration adapters of the commissioning tool and the network devices being configured “implement identical configuration link communication protocols.” | A 14:53-57. |
| 20 | The second wherein clause recites: “of the configuration adapters included in the system, only said configuration adapter of said commissioning tool must be powered-up during data communication between said at least one commissioning tool and said devices.” | A 25:13-17. |
| 21 | Independent claim 17 recites a system for performing the method of claim 1. | <i>Compare A 24:60 – 25:17, with A 27:14-40.</i> |

| | Facts | Evidence (Exhibit Letter¹ and Pin Cite) |
|----|--|---|
| 22 | The functions performed by the elements of the system of claim 17 correspond to the steps of claim 1. | <i>Compare A 24:60 – 25:17, with A 27:14-40.</i> |
| 23 | The system of claim 17 employs the same “commissioning tool” and “configuration adapters” as claim 1. | A 27:23-33. |
| 24 | Claim 17 concludes with the same two wherein clauses as claim 1. | <i>Compare A 25:11-17, with A 27:34-40.</i> |
| 25 | In addition, claim 17 recites “a design system for creating and storing a design of a network.” | A 27:18-22. |
| 26 | The “design of a network” recited in claim 17 includes the same elements and limitations as the “design of said network” recited in claim 1. | <i>Compare A 27:18-22, with A 24:63-67.</i> |
| 27 | Claim 17 also recites “a control system comprising at least one commissioning tool” for installing network devices according to the created network design. | A 27:25-33. |
| 28 | The '276 Patent states that configuration data may be downloaded into a device with “no need to power-up the configuration adapter.” | A 6:12-15, 6:23-26, 22:4-8, 22:37-41, Figs. 12, 13. |
| 29 | An unpowered mode of operation is explicitly recited in dependent claim 23: “wherein said configuration interface [of said configuration adapters] is operating with no need to power-up the corresponding configuration adapter. ” | A 28:26-30 (emphasis added). |

| | Facts | Evidence (Exhibit Letter ¹ and Pin Cite) |
|----|---|--|
| 30 | Independent claims 1 and 17 recite a power-up requirement for one adapter—“only said configuration adapter of said commissioning tool must be powered-up during data communication”—but do not recite the operating power state of other adapters. | A 25:13-17, 27:36-40 (emphasis added). |
| 31 | The patent specification never describes <i>how</i> to operate a device without power or <i>how</i> to receive and store data without power, except to say that “the download [of configuration data to devices being configured] may be carried out by contactless technologies (such as RFID/NFC) or by contact technologies (such as 1-Wire).” | A 4:25-28, 13:35-37, 13:66 – 14:1, 14:38-40, 14:58-60. |
| 32 | TDN did not invent NFC. NFC is a general-purpose communication protocol based on a much older technology known as radio frequency identification (“RFID”). | E ¶¶ 15, 117-122. |
| 33 | The features and operation of NFC devices are specified in the international industry standard known as ISO 14443. | E ¶¶ 117, 124-125, 128-129. |
| 34 | The ’276 Patent explicitly references the existing NFC standard for use in communicating configuration data, stating that “the configuration interface [of the configuration adapters] implements identical configuration link communication protocols (such as ISO 14443).” | A 14:53-57 (emphasis added). |

| | Facts | Evidence (Exhibit Letter¹ and Pin Cite) |
|----|--|---|
| 35 | The first edition of ISO 14443 was published in four parts between April 2000 and July 2001, more than six years before the priority date of the '276 Patent. | E ¶¶ 124-125, 127; B, cover (showing publication on April 15, 2000); C, cover (showing publication on July 1, 2001); A, cover (showing filing of provisional patent application on November 29, 2007). |
| 36 | The first edition of ISO 14443 included support for wireless transfer of power to an unpowered device. | E ¶¶ 60-61, 133-139. |
| 37 | Devices defined by ISO 14443 communicate by inductive coupling. Inductive coupling means that two devices interact through an electromagnetic field rather than wires. | E ¶¶ 119, 138-139. |
| 38 | ISO 14443 defines an unpowered device that receives data by inductive coupling, namely, a “proximity card (PICC)” “into which integrated circuit(s) and coupling means have been placed and in which communication to such integrated circuit(s) is done by inductive coupling in proximity of a coupling device.” | E ¶ 138; B 2 (defining “proximity card (PICC)”). |

| | Facts | Evidence (Exhibit Letter¹ and Pin Cite) |
|----|---|---|
| 39 | ISO 14443 also defines a powered device that uses inductive coupling to transfer power and communicate data to the unpowered device, namely, a “proximity coupling device (PCD)” which is a “reader/writer device that uses inductive coupling to provide power to the PICC and also to control the data exchange with the PICC.” | E ¶ 139; B 2 (defining “proximity coupling device (PCD)”). |
| 40 | ISO 14443 specifies that the powered PCD device “shall produce an energizing RF [radio frequency] field which couples to the [unpowered PICC device] to transfer power and which shall be modulated for communication.” | E ¶ 139; C 3 (section 6, titled “Power transfer”) (emphasis added). |
| 41 | The first edition of ISO 14443 included support for writing data to the memory of an unpowered device. | E ¶¶ 140-144. |
| 42 | The powered device of ISO 14443, known as a proximity coupling device, is a “reader/ writer device.” | B 2 (definition of “proximity coupling device (PCD)”) (emphasis added); E ¶ 143. |

| | Facts | Evidence (Exhibit Letter ¹ and Pin Cite) |
|----|---|---|
| 43 | The unpowered device of ISO 14443—the PICC—includes integrated circuits “designed to perform processing and/or memory functions. ” | B 1, 2 (definition of “integrated circuit(s) (IC)” (emphasis added) and definition of “proximity card (PICC)” as a device “into which integrated circuit(s) . . . have been placed”); E ¶ 141. |
| 44 | According to ISO 14443, “ communication to such integrated circuit(s) is done by inductive coupling in proximity of a coupling device.” | B 2 (definition of “proximity card (PICC)”) (emphasis added); E ¶ 143. |
| 45 | TDN did not invent the concept of using NFC to configure network devices or transfer network configuration data. | D 5, 16. |
| 46 | A 2004 presentation published by Philips Electronics states: “NFC can be used as a virtual connector for quickly establishing other types of wireless communication between devices. By bringing two devices close together, it can automatically configure and initialize other wireless protocols such as WiFi and Bluetooth.” | D 5 (emphasis added); <i>see also</i> D 27 (copyright 2004). |

| | Facts | Evidence (Exhibit Letter ¹ and Pin Cite) |
|----|--|--|
| 47 | The same 2004 presentation by Philips states: “NFC can also bootstrap other wireless protocols like Bluetooth or Wireless Ethernet (WiFi) by exchanging configuration and session data. ” | D 16 (emphasis added). |

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CERTIFICATE OF COMPLIANCE
WITH TYPE-VOLUME LIMITATION

The foregoing Defendants' Concise Statement of Facts in Support of Their Motion for Summary Judgment complies with the type-volume limitations of the Court's November 6, 2019 Standing Order Regarding Briefing in All Cases and this Court's Scheduling Order (D.I. 41, 60). The text of the Concise Statement of Facts, including footnotes, was prepared in Times New Roman 14-point and contains 1,525 words.

Dated: February 19, 2021

/s/ Christine D. Haynes
Christine D. Haynes (#4697)

Other Documents

[1:19-cv-01063-CFC-CJB TriDiNetworks Ltd. v. Signify North America Corporation et al.](#)

CASREF,MEDIATION-MPT,PATENT

U.S. District Court

District of Delaware

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Filer: Signify Netherlands B.V.

Document Number: [69](#)

Docket Text:

STATEMENT re [67] MOTION for Summary Judgment Concise Statement of Facts by Signify Netherlands B.V.. (Dorsney, Kenneth)

1:19-cv-01063-CFC-CJB Notice has been electronically mailed to:

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